









# THE COMMONWEALTH.

## FRANKFORT.

THOMAS M. GREEN, Editor.

FRIDAY, OCTOBER 22, 1858.

ELDER W. T. MOORE will deliver another discourse to night. Subject: "The Conversion of the Philippians." Jailer.

### Our Circuit Judge vs. the Code of Practice.

Most of our readers have heard of Hon. Elijah F. Nuttall, Judge of this Judicial District, and those who have read our comments upon his opinion in the case of *Hardesty*, for killing Grubb, will hardly be surprised at anything which he may take it into his head to do in his character as Judge of the laws of the land. But although we do not expect to startle any one by publishing a new eccentricity on the part of this very learned and able exponent of the law, we deem it our duty to the lawyers of the State to inform them that the Code of Practice, to which they have long been accustomed to refer, is not esteemed as sound law by at least one astute legal functionary in Kentucky.

The Grand Jury of Franklin county at a former term found an indictment of manslaughter against one SHINDLEBROW for killing a man named MARY. The case was tried at the term of our Court which has just adjourned, before Hon. Elijah F. Nuttall. The proof introduced by the Commonwealth was such as satisfied everyone who heard it that the accused was guilty of the crime of murder, committed in a cruel and inhuman manner, such as the feelings of every man revolt at. When the testimony had been closed on both sides the Judge suggested that the *accused* was guilty of murder or nothing; and thereupon, the Attorney for the Commonwealth moved the Court to discharge the jury in the present trial, and re-submit the case to the Grand Jury, which was at that moment in session in an upper room of the Court House. This motion was founded upon the following section of the Criminal Code.

"§ 250. If, during the trial, the court shall be of opinion that the facts proved constitute an offense of a higher nature than that charged in the indictment, it may direct the jury to be discharged, and all proceedings to be suspended, until the case can be re-submitted to a grand jury, and may order the defendant to be committed, or admit him to bail, to answer any new indictment which may be found against him for the highest offense. If an indictment is not found for the higher offense before the next grand jury are discharged, the court must proceed to try the defendant on the original indictment."

This motion was overruled by Judge Nuttall, upon the ground that the provision of the Code was unconstitutional, in that the prisoner had been put in jeopardy in the present trial and could not be so placed again by another trial, upon another indictment, for the same offense. The prisoner's counsel then asked the following instruction:

"The court instructed the jury that if they believe the evidence in the case they cannot find the defendant guilty of manslaughter."

This instruction was based upon the idea that, as the evidence showed the prisoner guilty of murder, the jury could not find him guilty of manslaughter. The Attorney for the Commonwealth called the attention of the Court to the fact that if the jury were allowed to find a verdict of *not guilty* upon this indictment, it would operate as a bar to a prosecution for every other degree of the offense, under the *Constitutional provision*, and the 177th section of the Code of Practice, which reads as follows:

"§ 177. Where an offense consists of different degrees, a conviction, or acquittal, by judgment upon a verdict, shall be a bar to another prosecution for the offense in any of its degrees."

The Attorney for the Commonwealth insisted, further, that the proof of the highest degree of the offense did, at *Common Law*, authorize the jury to find that charged in the indictment, though a lower degree of the offense, and that the Common Law was re-enacted by the Criminal Code, in sec. 261, which reads as follows:

"§ 261. When the proof shows the defendant to be guilty of a higher degree of the offense than is charged in the indictment, the jury shall find him guilty of the degree charged in the indictment."

Notwithstanding that the law is so clear and emphatic upon this point, Judge Nuttall gave the instruction asked for by the counsel of the prisoner, and directed the jury to find a verdict of "not guilty," which they accordingly did without retiring from the box. Whereupon he had the Grand Jury brought before him, and re-submitted the case to them. They soon afterward returned into court an indictment for murder, to which, in view of the *Constitutional provision* and the 177th section of the Criminal Code, the Attorney for the Commonwealth entered a *nolle prosequi*.

Thus ended the farce, which always follows the tragedy. Here is an instance where a man was acquitted of manslaughter because the Commonwealth proved him guilty of murder. Here is, in short, an instance where a man whom the Judge and the jury believed to be guilty of murder, was, by reason of the incredible stupidity of the Judge, allowed to escape punishment of any kind, and set loose upon society, encouraged by his acquittal to renew his outrages. No Judge in Kentucky, we venture to say, or in the civilized world, except Judge Nuttall, would have been guilty of such an arrogant and inexcusable blunder, such a disgusting disregard of the law and of common sense and common decency. How long will the people of this district be compelled to submit to the foolish judgments of such an ignorant Judge? Is there no way of riding the Judiciary of the country of such a functionary? Will not Judge Nuttall have the decency to resign his office, when he finds that every man, woman, and child, in his district are disgusted with his ignorance, his indolence, and his prejudices?

Judge Nuttall does not pretend to decide according to law, which he is sworn truly to expound and administer. He has overruled, as he facetiously says, the Code of Practice, as well as every standard work upon the various branches of the law, wherever they come in collision with his crude and untrained notions of the law, or, rather, his prejudices in particular cases. Like necessity, which induced a majority of the voters in this district to elect him, he knows no law. He has often boasted that he never reads law, and persists in substituting his stupid notions of law in a district, whose people are heartily sick and disgusted with him and his notions. The case described by us above is only one of a dozen

which he has decided at the present term in a manner quite as contrary to law and common sense, and we shall give the facts in some of the others hereafter. We sincerely wish it may be possible to convince Judge Nuttall that he has not the sense, understanding, or education, requisite for the discharge of the duties of the office he disgraces, and that the cause of good order, justice, and common decency, requires him to resign and let some one hold the office who is competent to understand and who will have the patience and industry to study before he decides a case.

### LIBERIA.

#### Opinion of the Board of Directors of the Kentucky Colonization Society of Liberia.

At a meeting of the Board of Directors of the Kentucky Colonization Society the subject of the report of Rev. A. M. Cowan, Agent of the Society, of his visit to examine into the social, moral, and political condition of Liberia, was fully discussed. The following resolutions were adopted and ordered to be signed by the officers of the Board, and be printed as the expressed sentiments of this Board of the Liberian Enterprise:

The Rev. A. M. Cowan, agent of the Kentucky Colonization Society, having, at the request of the society, visited Liberia, in Africa, and having reported, in extended form, the result of his observations, it seems proper that the Directors of said Society should, after having carefully examined that report, make some public announcement of their conclusions.

1. They have the most entire confidence in the perfect candor and truthfulness of all the statements of facts contained in said report, and the general propriety of the inferences, drawn from the facts stated, and value of suggestions for the future government of those interested in Liberia.

2. The report leaves no doubt on our minds that there are difficulties in the way of the progress of Liberia, and abuses in its past management, hitherto unknown to us, and much to be lamented by the friends of the cause of African Colonization; yet, upon a full survey of all the circumstances, there is every encouragement to hope that by continued effort, and greater watchfulness on the part of those friends, these difficulties and abuses will be reformed. The history of Colonies, both on this continent and elsewhere, show that the slave trade, if not more directly concerned with it—charges made by designing men, who are enemies to this cause from base motives, or reckless in making serious charges upon insufficient evidence.

3. The report is especially valuable and encouraging to the friends of African Colonization in the entire refutation of charges made against the people and government of Liberia; that they were relapsing into barbarism, and committing at the slave trade, if not more directly concerned with it—charges made by designing men, who are enemies to this cause from base motives, or reckless in making serious charges upon insufficient evidence.

4. Without enlarging upon the topics here merely touched upon, the undersigned would, on these grounds, call upon all the friends of the cause, both in this State and elsewhere, to be true to it, and not to abandon it upon such slight discouragements.

BEN. MONROE, President.

JOHN B. TEMPLE,  
JACOB SWIGERT,  
ORLANDO BROWN,  
THOS. S. PAGE,  
JAMES HARLAN.

HENRY WINGATE, Secretary.

FRANKFORT, Oct. 5, 1858.

J. G. BENNETT FOR CONGRESS.—The Buchanan party in the Eighth District of New York are talking of running Bennett, of the *Herald*, for Congress. The President appears to be throwing his influence in Bennett's favor. The nominating Convention, just for fun, we suppose, gave him a plurality of votes, but being unable to agree, adjourned until Wednesday. The *Times* fears they are only making believe, on purpose to tantalize him, and adds:

"We sincerely hope they will nominate poor Bennett, though it would be but a dubious compliment to Mr. Buchanan. All the Government officers who are members of the Convention, including Mr. Butterworth, the Superintendent of the Assay Office, it is said, gave their votes for Bennett."

THE WAR IN MEXICO.—Civil war in Mexico has produced monstrous disasters. In brief they may be summed up as follows: The desolation and abandonment of twenty or thirty towns; the banishment from their homes of at least 200,000 persons; the abandonment of hundreds of haciendas; the complete stagnation of all branches of trade and industry; the outraging of many females by the rabble soldiery; the useless employment of 50,000 persons in keeping up civil war, and their consequent demoralization; the sacrifice of \$100,000,000 in money, animals, food, clothing, grain, &c., taken by force for the maintenance of the civil war, and in the property actually destroyed in consequence of these feuds.

SOUTH CAROLINA.—All the present members of the House of Representatives from South Carolina, are re-elected, with the exception of Speaker Orr, who declined running. The new members (all Democrats and chosen without opposition) are John McQueen, W. Forcher Miles, Lawrence M. Keitt, Millege L. Bonham, John D. Ashmore and William W. Boyce.

GOV. DENVER.—Gov. DENVER arrived at St. Louis on Saturday evening from Kansas. The *Missouri Republican* says he does not contemplate returning to the Territory again, and that the Territorial Secretary will perform the duties of Governor, until the President fills the vacancy.

Prof. Parker Cleveland, the eminent chemist and mineralogist of Bowdoin College, died on the 15th inst., aged 70. He was no less remarkable for his scientific research than his eccentricity and simplicity. Whenever a thunder storm arose he invariably retreated to his cellar, although his house was covered with a perfect net work of lightning rods; and notwithstanding the earnest entreaties of his friends in Boston, he never visited them, not having the courage to take passage in a railroad car.

The Democratic party must submit to these periodical purgations.—*Wash. Union*.

Of course it must. It must submit to what it is not in its power to avoid. It had got very low indeed, and even this last purgation will not, we are inclined to think, save it from its final and inevitable collapse.

ANOTHER ATLANTIC CABLE TO BE LAID.—It is said to be the intention of the British government to lay another cable between Ireland and Newfoundland next year, in the event of their being unable to work through the present line.

The pebbles in our path weary us and make no footstep more than the rocks, which only require a bold effort to surmount them.

### A Runaway Match Extraordinary.

On Wednesday last week, a certain Doctor Dean, of Mount Sterling, accompanied his sister and a Miss Wilson, from Mount Sterling on a trip to this place, and in the afternoon Mayville stage of that day, accompanied Miss Wilson to Mayville. The next morning, after breakfast, the parties took the ferry boat for Aberdeen, and upon about reaching the shore the late married Squire Shelton, entered the boat and administered his usual brief ceremony of marriage. We learn that the gay Doctor is about 31 or 32 years of age, and the bride somewhat beyond 13 years of age, and the owner of an estate, worth about \$10,000, which was the prize he was endeavoring to snatch. The parties returned to Mayville, and the Doctor supposing the knot to be indissolubly tied, retired with his youthful bride to a room, and took some liberties which are not deemed repugnant to their ones who love their lords, when the young bride broke from his grasp with a scream, dashed down the stairway of the Lee House, and entreated the protection of the worthy landlady of that far famed Hotel. She stated that she had been entrapped into the trip to Mayville, under the pretense of stopping at one of the stores, for some articles which could not be had in Paris, that she had not been courted, and never intended, or agreed to marry Dean, and never would marry him. She stated that she had gone to Paris with the wife of her guardian, to purchase some articles; that the Doctor proposed to continue the trip to Mayville, and she never suspected such a thing as marriage.

The intelligent and benevolent lady of the Lee House, took counsel of some of the best citizens of Mayville, and the story of the youthful girl having reached the public ear, the excitement was very high, and it was generally believed that Doctor Dean would have summary brought to the bar of Judge Lynch. The Doctor became dreadfully alarmed, and nothing saved him from the wrath of an incensed community, but the statements of some passengers in the stage, who thought that there was no stake in the fact that the true girl knew that she was running away to be married. A party of gentlemen repaired to his room, and forced him to give up Squire Shelton's certificate of marriage, and the next morning the little girl was sent to her kindred by the Flemingsburg stage, and the disappointed Doctor took the packet to Cincinnati, and most probably went from there to Utah.

We are opposed to mob law in all its forms, no circumstances justifying it in our opinion. But if the above statement be correct, and we have no reason to doubt that it is so, the miscreant deserved lynching as much as ever a rascal did. The fact of the child's being willing to marry him is no excuse. A man who would deliberately seduce from her guardian a child thirteen years of age is not too good for anything that is base.

The FEDERAL OFFICERS.—When he was President, Thomas Jefferson wrote to Albert Gallatin as follows:

"I think the officers of the Federal Government are meddling too much with the public elections. Will it be best to admonish them privately or by proclamation?"

Upon which sentiment Mr. Jefferson, a contemporary appropriately and truly remarks:

"Now compare the above with the Democracy of Buchanan, and what true Democrat will not scout the pretensions of the latter? The former sought to prevent the 'too much meddling of Federal officers' with the public elections; the latter holds out inducements to office holders and office seekers to exert a corrupting influence upon the popular elections, and even interferes himself to secure the nomination of obnoxious Representatives in Congressional Districts. From such Democracy the people pray to be delivered."

HOW JONES WAS MISTAKEN.—The Washington States, a spirited little Douglas sheet, manifests great delight at the results of the election in Pennsylvania. That journal says:

"The representatives of the Administration Democracy blindly thought the people could be walked over; and Mr. Glancy Jones appeared to be so confident of re-election that he actually said, in this city, he was going to run only to show Mr. Buchanan how easy it was to be elected as an Administration Democrat." He has probably changed his mind by this time. Well, the Administration made "Administration Democracy" the test in Pennsylvania, and the result is that only two of the twelve "Administration Democrats" from that State, who voted for Lincoln, will come back to Congress."

THE RESCUED PASSENGERS OF THE STEAMER AUSTRIA.—A meeting of the rescued passengers of the ill-fated Austria—forty-two in number—who arrived in New York on Thursday last in the British war steamer *Valorous*, Capt. Aldum, was held, by invitation, at the office of the Hamburg and New York Steamship Line, 151 Broadway, on Saturday last. Messrs. C. B. Richard, Busch & Co., the agents of the line, informed the unfortunate passengers that they had been instructed to present them, in behalf of the company, each a sum of money for the purchase of clothing, and also to furnish all who were destined for the interior with a free ticket to their place of destination, with 50 cents per ticket to pay their expenses while on the route. Mr. Richard then gave to each of the passengers a sum of money, varying from \$20 to \$30, according to his position and circumstances, taking a receipt therefor. The company also pays the board of all the passengers while they are detained in New York.

CHARACTERISTIC ON BOTH SIDES.—There is no people in the world with whom eloquence is so universal a gift as the Irish. When Leitch Ritchie was traveling in Ireland, he passed a man who was a pitiable spectacle of pallor, equal or, and raggedness. His heart smote him, and he turned back. "If you are in want," said Ritchie, with some degree of civility, "why don't you beg?" "Sure, it's begging I am, yer honor!" "You didn't say a word." "O'course not, yer honor; but see how the skin is specklin' through the holes in me trousers! and the bones cryin' out through me skin! Look at me sunken cheeks! and the handle that's starvin' in me eye! Man, a'rel! isn't it beggin' I am with a hundred tongues?"

A duel was recently fought near Memphis, Tenn., between Mr. Waters, of Virginia, and Dr. J. E. Neagle, formerly of Lancaster, Pa. They met on an island, and, without any witnesses but their records, fought one of the bloodiest duels on record. They fired two rounds with Derringer pistols, both being wounded at each fire. They then, by agreement, resorted to revolvers, and continued the fight. Mr. Waters was killed at every shot, and died the next night. Dr. Neagle received wounds that will probably terminate fatally.—*Lou. Jour.*

Three runaway negroes passed through our town last Sunday morning. In the afternoon, about 4 o'clock, several Kentuckians came over in pursuit, and attempted to search the dwelling of one of our colored citizens just above town, supposing them to be secreted there. They were resisted, the alarm given, and soon a large crowd collected. The Kentuckians were forced to decamp, being pursued as far as the river. Several shots were fired with no effect. A Kentuckian by the name of Ball was struck on the head by a stone, after they reached their skill, and at last accounts was in a very critical condition.

[Ripley (O.) Bee.]

The Harrodsburg Transcript of Saturday, states that Ben. Mills, the celebrated gunsmith of that place, has received and accepted the appointment of Master Armorer at Harper's Ferry.

We regret to find in the *Observer & Reporter* the following account of the burning of the Female Orphan School at Midway. This benevolent institution has accomplished much good in the community, and deserves the support and confidence of each and every citizen. Our citizens will surely respond to the call made upon them for assistance. We trust that the school may be speedily rebuilt:

Midway, Ky., Oct. 13th, 1858.

D. C. WICKFIRE, Esq.

Dear Sir—On yesterday morning (Sunday) a little after 9 o'clock, the main building of the Kentucky Female Orphan School took fire, and in an hour or two was totally consumed. The fire was communicated in some way from the kitchen fire. There had been no fire on the premises during the morning except in the grate in the family room and in the cook stove. The Principal and all the pupils were at the village church attending Sabbath school, and many citizens were absent at the funeral of Mr. Farish, some miles in the country. The fire had made fatal progress before any thing could be done to arrest it. When once on the ground, the citizens did all that was possible to save a portion of the property, and by the most heroic perseverance and real Kentucky determination, succeeded.

The extent of the loss is not yet ascertained, but it is not fully covered by insurance. The worthy Principal lost all his individual property, and the clothing of the pupils was all consumed, except what they had worn to church. With some modification of the various buildings remaining on the premises, the classes now in attendance can be tolerably accommodated, and the Trustees have determined to resume the exercises in a few days. The main house will be rebuilt at the earliest possible day. The interruption is somewhat serious, truly, but it will not be long.

Some donations in clothing or money would be thankfully received. John G. Allen, of Lexington, will receive, for the school, anything left with him. If benevolent ladies find it in their hearts to add their contributions to the list of donors of their community, they can do so by sending to Mr. Allen, for book coverings, sheets, green or green gaiters for bonnets, dresses, &c., green merino or plain shawls for winter wraps.

I neglected to say that the fire was communicated to the roof. No blame can possibly attach to any one belonging to the school, for the great precautions against fire have constantly been taken.

It is with pleasure I add, that no one was injured in the confusion and alarm incident to the unexpected outbreak of a great fire in a small village.

The orphan girls are all well situated with families in the village and neighborhood, where they will remain until arrangements are made for re-opening the school.

Very truly yours,

L. L. PINKERTON.

Douglas' Plan of "Unfriendly Legislation" TO BE TRIED IN KANSAS.—Douglas' plan of excluding slavery from a Territory by unfriendly legislation is, it seems, about to be put in practice in Kansas. The Lawrence Herald of Freedom copies with approbation, the Freeport speech of Douglas and adds, exultingly:

"The Legislature of Kansas cannot neglect, at its next session, to take away such local legislation as now encourages or gives protection to slavery. It will do more: it will throw pains and penalties around the institution; it will give the people the right to defend their property from its depredations; it will, in short, make him a recreant, and that without provision of recompense. The underground railroad will be thrown upon the surface. Those holding slave property in Kansas are urged to consider this as a prospect, if they please, for it will surely be realized."

THE CASE OF CAPT. TOWNSEND OF THE SLAYER "ECHO."—A dispatch from Boston informs us that Judge Sprague, of the United States District Court, has decided that the court has no jurisdiction in the case of Capt. Townsend, the slayer, and that he must be remanded for trial to the district where he first landed, which is Key West. The opinion of Judge Sprague, is not final in this matter, but may be overruled by Judge Clifford, and from the latter may go to the full bench at Washington. The probability is, however, that Townsend will be remanded to Florida for trial, in which case his admissions of guilt, and his confession that he was the slayer, will be brought before the court, and his conviction for the crime of which he is beyond doubt guilty is highly probable.—*N. Y. Post.*

A sheriff's officer is a man who never leaves another in distress.

### COURT OF APPEALS.

WEDNESDAY, Oct. 20, 1858.

CASES DECIDED.

Barnett, et al. v. Bennett, et al., Ohio Insured. McKenney v. Mosby, Mercer; reversed.

Sirraton v. Keeler, et al., Shelby, reversed. Leary v. Flournoy, Franklin; affirmed.

ORDERS.

Jefferson v. Hollowell; petition for rehearing overruled.

Young v. Tevis; mandate suspended until the first day of the next term.

Ward v. Pope; leave given appellates to withdraw exhibits.

Adjourned until court in course.

### PUBLIC SALE

OF A

LIVERY STABLE,

TOGETHER WITH THE

STOCK, STABLE FIXTURES, &c.

On Wednesday, 17th of November, 1858.

I will sell at Public Auction, my

Livery Stable in the City of Frankfort,

And all my Park of every kind, consisting of eight Bays, three Carriages, one Spring-Wagon, one Four-Wheel Wagon, one Tractor-Wagon, one Sulky, twenty-one head of Horses, among them three pairs of Harness Horses, five or six fine Single Bays, three or four fine Saddle Horses, one pair of heavy Mares, one Fast Trotting Horse, and one Fast Saddle Horse, and all the STABLE FIXTURES, consisting of Harness, Saddles, &c., &c. Also, all the PROVEN HORSE ON HAND at the time, such as Cows, Oats, Hay, &c., &c. I will also sell the station

A House and Lot on Main Street, near the Stable.

These are the best of water in the Stable, and all other conveniences, which, together with the central location, renders it the most desirable Livery Stable stand in the city.

I will also hire out, until the 25th of December next, ALL OF MY STABLE HANDS.

TERMS OF SALE.—On the Stable and House and Lot, half cash, and on the balance a credit of 12 months will be given; for the stock, &c., for all sums under \$25 cash, but amount and over, six months credit, notes negotiable in bank, with good security, required.

Frankfort, Oct. 22, 1858.

P. S.—Any one desirous of engaging in a profitable business will find this a favorable opportunity, and are invited to call and examine the Stable, Fixtures, &c. before the day of sale.

W. R. L. "Place, One & keep-copy until day of sale and send bill to W. R. L.

Notice! Notice!

MR. JOHN L. PEAR, of Georgetown, Ky., wishes to inform the public that the Public School at this place of the *Last Sunday Morning*, in the second story of the *Public School*, it is to be under his care, and he prescribes invites all to send, free of charge. It is his object to get the school under fair operation—to make it worthy of the city and under whose supervision it is conducted; and to this object his aim and endeavor shall be devoted. All communications and references to be directed to

R. GILLISPIE, Chairman of the School Trustees.

### SPECIAL NOTICES.

PAGE, GAINES & PAGE,

FALL IMPORTATION OF 1858,

SAINT CLAIR STREET.

WE are now in receipt of our Fall stock, which for variety, style, and novelty cannot be surpassed, consisting in part of RICH DRESS SILKS, BIRROUX, SILK ROBES, LA CES AND BIRROUXES, BUCKS AQUILLE, TRIMMING, HOUSE ALES, HENES, FANCY DRESS UNIFORMS, WHITE GLOVES, LACE SETS, COLLARS AND SLEEVES, HOOP SKIRTS, LACE CURTAINS, CLOAKS, AND DAMASKS.

We have also on hand and will be receiving during the season, a large stock of Staple Goods, American Prints, Flannels, Sheetings, English and Superior Sheet of Flannel and Underwear for Gent and Ladies, Dressing, Cosmetics, and Vestings, all of the newest and choicest styles.

Hardware and Groceries of all Kinds;

CARPETS,

Volant, Tapestry and Brussels of 3 Ply and 3 Ply Ingrain; Rugs, Mats, and Oil Cloth;

Queensware and Glass Ware of every Description.

All kinds of Country Produce, Beans, White and Child Linsey, Yarns, Socks and stockings, taken in exchange for goods.

We are respectfully invited to call and examine our stock. We can and will offer inducements. Give us a call and judge for yourselves.

PAGE, GAINES & PAGE.

To the Voters of Kentucky.

I am a candidate for re-election as Auditor of Public Accounts. My past official conduct is the only guaranty I can offer for the future.

Sept. 15, 1858.—thos. s. page.

All the papers in Kentucky will publish the above until the election and send bill to T. S. P.

THE REPORT OF THE

"Kentucky State Agricultural Society,"

FOR 1858 AND 1857.

Just published, and for sale at this office, at 50 cents per copy. This report will be found very interesting and useful to all who feel an interest in the Agricultural Improvement of the State. It is bound in the style of the Report of the Kentucky Geological Survey; is a volume of 256 pages, finely illustrated with a number of engravings of the principal products of the State. All orders to be addressed to

Sept. 24, 1858. A. G. HODGES.

LIBERIA,

AS I FOUND IT, IN 1858,

By Rev. A. M. COWAN.

Agent Ky. Colonization Society.

184 pages, Royal Octavo.

JUST published and for sale at this office. Price 75 cents. Sent by mail, a copy, postage paid, in any one sending in this amount in money or postage stamps. June 18, 1858.—t.

JOHN L. MOORE & SON,

ARE RECEIVING THEIR LARGE STOCK OF

FALL AND WINTER GOODS,

IN GREAT VARIETY.

AND AT VERY LOW RATES!

Sept. 19, 1858.—wclwif.

Liberia.

The emigrants in Kentucky who intend going to Liberia in this Fall's expedition, will please report themselves to me by letter, at Frankfort, Ky. I shall leave Frankfort for Baltimore on the 25th of October, 1858, to be in time for the sailing of the vessel to Liberia. The public press in Kentucky will please publish this notice.

ALEX. M. COWAN,

Agent Ky. Col. Soc.

Frankfort, Sept. 19, 1858.

Rheumatism Cured!

Not less than about twenty thousand cases, of this painful and paralyzing disease, have already been cured by the use of Dr. Mortimore's celebrated remedy. These comprise cases of every seeming form of the disease, from those of a recent inflammatory (acute) character, to old Chronic cases of ten, twenty, and even thirty years standing, and this after the patients had long been given up as incurable by eminent physicians. Some had taken voyages across seas, spent years of residence in the most salubrious climates, visited the various "Water Cure" establishments, and celebrated Springs, both in this country and Europe, yet had still remained crippled, until they used this remedy, and by its use have been restored to health.

This is a *veritable*—internal remedy, prepared and recommended for this one disease alone. It is *cure*, and is perfectly safe to be used in any state of health, even by the most delicate female or child.

Evidence of the highest possible character from physicians, clergymen and others, is published in behalf of this remedy, such as to give it character with every intelligent or reflecting mind. This evidence will be furnished to any address desired. The medicine is sold at \$5 per bottle, five bottles for \$20, or \$40 per dozen, and will be sent by Express, or as directed, to any part of the Union. Apply to or address

Dr. D. MORTIMORE,

Third St., opposite Johnson Office,

Louisville, Ky.

August 20, 1858.—ly

18th B. Monroe.

The 18th volume of Ben. Monroe's Reports

just published and for sale at this office. Price

\$5, or when sent by mail fifty cents additional for postage.

Special Notice.—To the Public.

We hereby notify our friends and patrons that on and after the 1st of January, 1859, we will consider all accounts due semi-annually, viz: 1st of January and 1st of July; and on all accounts not promptly paid at that time, interest will be charged until paid. Thankful for the liberal patronage of our friends and the public, we solicit a continuation of the same, knowing that under our new arrangements that we can and will make it to their interest to patronize us.

We will continue to keep a good assortment of goods for gentlemen's wear.

GILLISPIE & HEFFNER.

Jan. 11, 1858.—t.

SPRING MILLINERY.

Mrs. MARGARET HERRMANSWORTH



GEO. A. ROBERTSON,  
DEALER IN  
Confectioneries & Groceries,  
CORNER ST. CLAIR AND BROADWAY STREETS,  
FRANKFORT, KY.

HAS ALWAYS ON HAND THE CHOICEST ARTICLES  
in his line, which he will sell at the lowest  
market prices.

**Tobacco and Cigars.**  
A GENERAL ASSORTMENT ALWAYS TO BE  
found at  
GEO. A. ROBERTSON'S.  
April 23, 1858.

**Whisky.**  
OLD BOURBON WHISKY by the gallon or bottle,  
for sale by  
GEO. A. ROBERTSON.  
April 23, 1858.

**For the Toilet.**  
TOILET, EXTRACTS, PERFUMERY, POM-  
ades, Soaps, Brushes, Combs, &c., at  
April 23, 1858. GEO. A. ROBERTSON'S.

**TEAS! TEAS!!**  
GREEN AND BLACK TEAS IN PACKAGES OR  
bulk, a superior article  
GEO. A. ROBERTSON'S.  
April 23, 1858.

**Proclamation by the Governor.**  
\$500 REWARD.  
COMMONWEALTH OF KENTUCKY,  
Executive Department.

WHEREAS, it has been made known to me that AL-  
BION F. RYAN did, on the 20th day of August, 1858, in  
the county of Clark, kill and murder Francis Morehead,  
and has since fled from justice:

Now, therefore, I, C. S. MOREHEAD, Governor of the  
Commonwealth of Kentucky, do hereby offer a reward of  
Two Hundred and Fifty Dollars for the apprehension of said  
Ryan, and his delivery to the Jail of Clark county, within  
one year from the date hereof.

**IN TESTIMONY WHEREOF,** I have  
hereunto set my hand, and caused the seal of the  
Commonwealth to be hereunto affixed, at  
Frankfort, this 20th day of October, A. D. 1858, and in the 67th year of the Common-  
wealth.

By the Governor: C. S. MOREHEAD.  
Major Brown, Secretary of State.  
By T. P. A. BIRN, Assistant Secretary.

**DESCRIPTION.**  
Said Ryan is 34 years of age; 6 feet high; hazel eyes;  
large Roman nose; weight 165 or 170 pounds; a  
slender, well-proportioned man; light complexion;  
dark hair; light brown hair.

**Proclamation by the Governor.**  
\$300 REWARD.  
COMMONWEALTH OF KENTUCKY,  
Executive Department.

WHEREAS, it has been made known to me that HIRSH  
BIRD, did, on the 20th day of August, 1858, in  
the county of Lyon, kill and murder Robert Bird,  
and has since fled from justice:

Now, therefore, I, C. S. MOREHEAD, Governor of the  
Commonwealth of Kentucky, do hereby offer a reward of  
Three Hundred Dollars for the apprehension of said  
Bird, and his delivery to the Jail of Lyon county, within  
one year from the date hereof.

**IN TESTIMONY WHEREOF,** I have  
hereunto set my hand, and caused the seal of the  
Commonwealth to be hereunto affixed, at  
Frankfort, this 20th day of August, A. D. 1858, and in the 67th year of the Common-  
wealth.

By the Governor: C. S. MOREHEAD.  
Major Brown, Secretary of State.  
By T. P. A. BIRN, Assistant Secretary.

**DESCRIPTION.**  
Said Bird is about 35 years of age; 5 feet 10 inches high; weighs about  
140 pounds; rather slender form; somewhat stoop-  
shouldered; about 30 years old; thin visage; looks down  
when spoken to; dark eyes; rather dark complexion  
generally, with black marked eyes; hair growing  
usually low in the center of his forehead; had, when he  
left, a large broad flat nose.

**Proclamation by the Governor.**  
\$200 REWARD.  
COMMONWEALTH OF KENTUCKY,  
Executive Department.

WHEREAS, it has been made known to me that ANDREW H.  
GLASGOW did, on the 23rd day of August, A. D. 1858, in  
the county of Logan, kill and murder John Glasgow,  
and has since fled from justice:

Now, therefore, I, C. S. MOREHEAD, Governor of the  
Commonwealth of Kentucky, do hereby offer a reward of  
Two Hundred Dollars for the apprehension of said  
Glasgow, and his delivery to the Jail of Logan  
county, within one year from the date hereof.

**IN TESTIMONY WHEREOF,** I have  
hereunto set my hand, and caused the seal of the  
Commonwealth to be hereunto affixed, at  
Frankfort, this 10th day of August, A. D. 1858, and in the sixty-seventh year of the Common-  
wealth.

By the Governor: C. S. MOREHEAD.  
Major Brown, Secretary of State.  
By T. P. A. BIRN, Assistant Secretary.

**DESCRIPTION.**  
Said Glasgow is six feet high; dark complexion; au-  
burn hair; high cheek bones; gray eyes; thin  
visage; low forehead; rather long nose; thin lips;  
slender build; in speaking, has a short and  
jaw; upper teeth protruding so as to reach to the point  
of the nose, and it requires an effort to get his lips to-  
gether; he is quiet; about 25 years of age, and weighs  
about 150 pounds.

**Escaped from Jail.**  
GEO. W. WILLIAMS, JNO. M. NICHOLSON, and  
FRANCIS M. NICHOLSON, escaped from the  
Jail of Franklin county yesterday afternoon. They had  
been committed under the charge of making and pass-  
ing counterfeit money.

George W. Williams was a United States prisoner,  
and was brought from the State of Ohio. His family re-  
sides at Miami town, in that State. He is about 5 feet 3  
inches high, dark complexion, and about 34 or 35 years  
of age.

John M. Nicholson is about 6 feet high; about 62 or  
63 years of age; has a scar on one of his eyes, and  
the finger of one of his hands is entirely off.

CATALOGUE  
OF THE  
UNIVERSAL MASONIC  
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THE thirty volumes now stereotyped, embrace the fol-  
lowing works, all of an approved and standard char-  
acter.

Volume First—*Directory of Symbolical Masonry*, in-  
cluding the Royal Arch; by George Oliver, M. D.; 301  
pages. *The Book of the Lodge*, or Officers Manual; by  
the same; 119 pages.

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pages. *Spirit of Masonry*, by William Hutchinson;  
245 pages.

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Preston; 405 pages.

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pages. *Masonic Dictionary*, by Thaddeus Mason Har-  
rill; 170 pages.

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1841; by Oliver; 127 pages. *Mirror for the Masonic  
Mason*, by the same; 110 pages. *Star in the East*, by  
the same; 91 pages.

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Calcutt; 176 pages. *Masonic Manual*, by Rev. Wolla-  
stan Ashe; 231 pages.

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87 pages.

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pages. *History and Illustration of Freemasonry*, An-  
onymous; 91 pages.

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430 pages.

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Order*, Translated from the French; by H. W.  
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Town; *By-Laws of the Lodge of Antiquity*, London,  
1824. *Antient Freemasonry*, by the same; 1825.  
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Price bound in leather, very strong and neat, fifty dol-  
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**FRUIT AND ORNAMENTAL  
TREES, VINES, SHRUBS, &c.,  
CULTIVATED FOR SALE**  
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AT THE EVERGREEN NURSERY,  
Twelve miles East of Louisville, Ky., immediately on the  
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Neatly printed Catalogue of the  
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Orders may be addressed to HOBBS & WALKER,  
Williamson Post Office, Jefferson county, Ky., or to  
A. G. HODGES, Frankfort, Ky.  
Frankfort, Oct. 17, 1854.

**Lost!**  
ON Sunday, the 8th of August, an EMBROIDERED  
CAMBRIC HANDKERCHIEF, supposed to have  
been dropped in Frankfort, or the foregoing de-  
scription. The finder can receive a reward of three  
dollars on leaving it with  
DOYON & GRAHAM.  
Aug. 20, 1858—4f.

**Billiard Tables for Sale.**  
I HAVE TWO BILLIARD TABLES, with cues and  
all other necessary fixtures, in good order, which I  
wish to sell.  
A bargain may be had in them.  
June 9, 1858—4f. CHAS. B. GETZ.

**SUGAR.**  
6 bbls Prime New Orleans Sugar,  
10 bbls Preserving Sugar,  
15 bbls Crushed Sugar,  
8 bbls Powdered Sugar,  
5 bbls Granulated Sugar,  
4 boxes Large and Small Leaf Sugar;  
In store and for sale by  
Aug. 16, 1858. GRAY & TODD.

**COACH FACTORY.**  
I have constantly on hand a fine assortment of Car-  
riages—any kind of Carriage made to order and of  
the best material. We have purchased the sole right of  
Everett's Patent Coupling,  
for the counties of Franklin, Anderson, Lincoln and  
Garrard.  
N. B. We would call the attention of purchasers to  
our Spring assortment of Carriages.  
I would be glad to be warranted for one year.  
April 2, 1855—4f.

**FINE LIQUORS.**  
SUPERIOR Old Whisky in bottles and on draught,  
Fine Brandies in bottles and on draught,  
Superior Old Apple Brandy,  
Madelira, S. Perry, Port and other Wines, on draught  
and in bottles,  
Scotch and Irish Whisky,  
Jamaica Rum,  
Old Rye Whisky,  
Old Nectar Whisky,  
Assorted French Cordials,  
Blackberry Cordial,  
Aniseed Cordial,  
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Schiedam Schnapps. For sale by  
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DIRECTED by a Board of  
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MORRIS, a distinguished  
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Forms, and in Modern Languages.  
Twenty-third semi-annual session opens on the  
second Monday in September (1858). Charges, \$102 per  
half-yearly session, payable in advance.  
Address the Superintendent, at "Military Institute,  
Franklin county, Ky.," or the undersigned.  
July 5, 1858—by P. DUDLEY, President of the Board.

**FRESH SUGAR CURED WHITE FISH—A few pack-  
ages, just received and for sale by  
Dec. 31, 1857. GRAY & TODD.**

**GIN—If you want excellent GIN call at  
April 23, 1858. GEO. A. ROBERTSON'S.**

HOWARD ASSOCIATION,  
PHILADELPHIA.

A Benevolent Institution, established by special endow-  
ment for the relief of the sick and distressed, af-  
flicted with Venereal and Epidemic diseases.

TO all persons afflicted with Venereal Diseases, such as  
SYPHILIS, GONORRHEA, SEMINAL WEAKNESS, IM-  
POTENCE, GONORRHEA, GLEET, SYPHILIS, the  
Vice of ONANISM, OR SELF-ABUSE, &c., &c., &c.,  
The HOWARD ASSOCIATION, in view of the awful  
destruction of human life, caused by Venereal diseases,  
and the deceptions practiced upon the unfortunate vic-  
tims of such diseases by Quacks and impostors, has  
erected their Consulting Surgeon, as a CHARITABLE  
ACT worthy of their name, to open a Dispensary for  
the treatment of all classes of diseases, in all their forms,  
and to give MEDICAL ADVICE GRATIS, to all who  
apply by letter, with a description of their condition,  
(age, occupation, habits of life, &c.) and in cases of ex-  
treme poverty, to FURNISH MEDICINES FREE OF  
CHARGE. It is needless to add that the Association  
commands the highest Medical skill of the age, and  
will furnish the most approved modern treatment.

The Directors, on a review of the past, feel assured  
that their labors in this sphere of benevolent effort, have  
been of great benefit to afflicted humanity, and to the  
young, and they have resolved to devote themselves,  
with renewed zeal, to this very important but much de-  
spised cause.

Just published by the Association, a Report on Spermato-  
zoa, Seminal Weakness, the Vice of Onan-  
ism, Sterility, or Self-Abuse, and other Diseases of  
the Sexual Organs, by the Consulting Surgeon, which  
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Address, for Report or treatment, DR. GEORGE B.  
CALHOUN, Consulting Surgeon, Howard Association,  
No. 2 South Ninth Street, Philadelphia, Pa.  
By Order of the Directors.

EDWARD D. HEARTWELL, President.  
Geo. F. MORTIMER, Secretary.  
Sept. 9, 1857—w&w1y.

HORSE STOLEN.

STOLEN from the farm of JAMES CUNY, in Franklin  
county, Ky., on the night of the 15th of August, 1858,  
a dark bay horse, about 16 hands high, with a white  
three white feet, and a spot on his hip; his tail  
chewed off; about 16 hands high; nine or ten years old; tons  
and jacks well, and is a fine work horse, and has marks  
of gear on him.

I will give \$100 reward for any information which will  
enable me to get him. WILLIAM CHURCH,  
Near the Mouth of Elk River,  
Franklin county, Ky.  
Aug. 27, 1858—lin.

STATEMENT OF THE CONDITION  
OF THE  
CHARTER OAK LIFE INSURANCE COMPANY,  
OF HARTFORD, CONN.,

To the Auditor of the State of Kentucky, July 24, 1858.

1st. The name of the company is the CHARTER OAK  
LIFE INSURANCE COMPANY, of Hartford, Conn. The  
company is located at Hartford, in the State of  
Connecticut.

2nd. The amount of its capital stock is Two Hun-  
dred THOUSAND DOLLARS.

3rd. The amount of its capital paid up is One Hun-  
dred and FIFTY THOUSAND DOLLARS.

4th. ASSETS.

1. Cash on hand, and in the hands of  
Agents and other persons, \$78,948 02

2. Real Estate unencumbered, 150 00

3. Debts due the Company secured by  
Mortgages on Real Estate, cities of  
Hartford, New York, &c., 13,700 00

4. Debts otherwise secured as per Vouch-  
ers accompanying (see Bank Books,  
No. 87), 13,700 00

5. Loans on collateral secured by stocks,  
and endorsements, &c., 23,281 62

6. Loans to mutual members on policies  
and endorsements, &c., 2,500 00

7. Debts for premiums at Bank upon Int.,  
&c., 11,750 50

8. All other securities, &c., 110,327 50

9. Bills Receivable on demand bear-  
ing interest, 5,954 36

10. Accrued interest, 5,205 47

Total assets of the Company, \$402,528 47

11th. The aggregate amount insured on any one risk is  
\$10,000.

12th. The Company has no rule regulating the amount  
to be insured in any one city, town, or village.

13th. No part of its capital or earnings are deposited  
with any State or States as security for losses there-  
of.

14th. A printed copy of the act of incorporation of  
such Company.

15th. The amount of its liabilities due or not  
due to banks or other creditors  
—none.

16th. Losses adjusted and due—none.

17th. Losses adjusted and not  
due, 11,000 00

18th. Losses unadjusted and  
deemed to be fraudulent, 10,000 00

19th. Losses in suspense wait-  
ing for further proof, 10,000 00

10th. All other claims ag-  
ainst the Company—none.

Total liabilities, \$21,000 00

11th. The aggregate amount insured on any one risk is  
\$10,000.

12th. The Company has no rule regulating the amount  
to be insured in any one city, town, or village.

13th. No part of its capital or earnings are deposited  
with any State or States as security for losses there-  
of.

14th. A printed copy of the act of incorporation of  
such Company.

15th. The amount of its liabilities due or not  
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17th. Losses adjusted and not  
due, 11,000 00

18th. Losses unadjusted and  
deemed to be fraudulent, 10,000 00

19th. Losses in suspense wait-  
ing for further proof, 10,000 00

10th. All other claims ag-  
ainst the Company—none.

Total liabilities, \$21,000 00

11th. The aggregate amount insured on any one risk is  
\$10,000.

12th. The Company has no rule regulating the amount  
to be insured in any one city, town, or village.

13th. No part of its capital or earnings are deposited  
with any State or States as security for losses there-  
of.

STATEMENT  
OF THE  
PHENIX INSURANCE CO.,  
OF  
Hartford, Conn., on the 1st day of June,  
1858.

To the Auditor of the State of Kentucky, in compliance  
with an act of said State, passed  
March 23, 1856, and entitled "An act to regulate the  
business of Foreign Insurance Companies."

The amount of its Capital Stock, which is paid up in  
full, is \$200,000

The Assets of the Company are as follows:

50 Shares United States Trust Company  
Stock, N. Y., par value \$5,000, market  
value \$5,500 00

100 Shares American Exchange Bank  
Stock, N. Y., par value \$20,000,  
market value 20,000 00

200 Shares Metropolitan Bank Stock,  
N. Y., par value \$30,000, market  
value 30,000 00

200 Shares Bank of Commerce Bank  
Stock, N. Y., par value \$20,000,  
market value 20,000 00

500 Shares Merchants' Exchange Bank  
Stock, N. Y., par value \$10,000, market  
value 10,000 00

150 Shares Continental Bank Stock, N.  
Y., par value \$15,000, market value  
15,000 00

288 Shares Mechanics Bank Stock, N. Y.,  
par value \$7,500, market value 7,755 00

100 Shares Ocean Bank Stock, N. Y.,  
par value \$5,000, market value 4,500 00

105 Shares Phoenix Bank Stock, N. Y.,  
par value \$20,000, market value 20,257 50

160 Shares Phoenix Bank Stock, N. Y.,  
par value \$10,000, market value 16,380 00

175 Shares Merchants' and Manufacturers  
Bank Stock, Hartford, par value  
\$17,500, market value 17,500 00

160 Shares State Bank Stock, Hartford,  
par value \$10,000, market value 11,000 00

87 Shares City Bank Stock, Hartford,  
par value \$8,700, market value 8,500 00

60 Shares Mercantile Bank Stock,  
Hartford, par value \$5,000, market  
value 6,000 00

50 Shares Connecticut River Bank S. C.,  
par value \$5,000, market value 5,000 00

10 Shares Hartford County Bank Stock,  
Hartford, par value \$500, market  
value 500 00

60 Shares Citizens Bank Stock, Water-  
bury, Conn., par value \$5,000, mar-  
ket value 6,240 00

38 Shares Waterbury Bank Stock, Water-  
bury, Conn., par value \$1,000,  
market value 1,076 00

4 Shares Stafford Bank S. C., Stafford,  
Conn., par value \$400, market value  
400 00

20 Water Bonds of the Town of New  
Britain, Conn., par value \$10,000,  
market value 10,000 00

Amount loaned on mortgages of Real  
Estate, 47,300 00

Amount loaned on pledge of Bank and  
other Stocks, 21,250 00

Amount loaned on pledge of other ap-  
proved securities, 23,810 00

Cash on hand and in Bank, 44,500 00

Amounts due from Agents and others,  
Accrued interest on loans, 7,882 50

1,818 15

Total Assets, \$340,157 14

The liabilities of the Company are as follows:

Losses adjusted and due, none.

Losses adjusted and not due, \$2,650 00

Losses (reported) unadjusted,  
Losses in suspense and waiting further  
proofs, 1,100 00

All other claims against the Company,  
estimated at 500 00

\$14,250 00

Dated at Hartford, this 1st day of July, 1858.

H. KELLOGG, Secretary.

STATE OF CONNECTICUT, ss.  
Hartford County, ss.  
I, Henry Wingate, Agent of the  
Phoenix Insurance Company, of Hartford, Conn.,  
do hereby certify that the foregoing is a true and  
correct statement of the assets and liabilities of  
said Company, as of the 1st day of June, 1858,  
and that the same are correct and true, and that  
the same are correct and true, and that the same  
are correct and true, and that the same are correct  
and true, and that the same are correct and true,  
and that the same are correct and true, and that  
the same are correct and true, and that the same  
are correct and true, and that the same are correct  
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